

**FILED**

March 22, 2024

CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS

BY: Jennifer Clark

DEPUTY

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
WACO DIVISION**

ACQIS LLC,

*Plaintiff,*

v.

ASUSTEK COMPUTER, INC. and ASUS  
GLOBAL PTE. LTD.,

*Defendants.*

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Civil Action No. 6:20-cv-00966-ADA

**JURY TRIAL DEMANDED**


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**VERDICT FORM**

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3/22/24  
435 P.M.

In answering the following questions, you are to follow the instructions I have given you in the Court's jury charge. **Your answers to each question must be unanimous.** Some of the questions contain legal terms that are defined and explained in detail in the Final Jury Instructions. You should refer to and consider the Final Jury Instructions as you answer these questions in the Verdict Form.

As used herein:

- "ACQIS" refers to Plaintiff ACQIS, LLC.
- "ASUSTeK" refers to Defendant ASUSTeK Computer, Inc.
- "ASGL" refers to Defendant ASUS Global Pte Ltd.
- "ACI" refers to non-party Asus Computer International.
- The '768 Patent refers to U.S. Patent No. 9,529,768.
- The '359 Patent refers to U.S. Patent No. 8,756,359.

We, the jury, unanimously agree to the answers to the following questions and return them as our verdict in this case:

# **I. DIRECT INFRINGEMENT**

## **Directions – Question No. 1:**

In answering the Questions below, please check “Yes” or “No” for each listed asserted claim in the space provided.

**Question No. 1(a):** Did ACQIS prove, by a preponderance of the evidence, that ASGL directly infringed the following Asserted Claims?

*“Yes” is a finding for ACQIS. “No” is a finding for Defendants.*

### **'768 Patent:**

Claim 10:	Yes <u>✓</u>	No _____
Claim 13:	Yes <u>✓</u>	No _____

### **'359 Patent:**

Claim 19:	Yes <u>✓</u>	No _____
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**Question No.1(b):** Did ACQIS prove, by a preponderance of the evidence, that ACI directly infringed the following Asserted Claims?

*“Yes” is a finding for ACQIS. “No” is a finding for Defendants.*

### **'768 Patent:**

Claim 10:	Yes <u>✓</u>	No _____
Claim 13:	Yes <u>✓</u>	No _____

### **'359 Patent:**

Claim 19:	Yes <u>✓</u>	No _____
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**IF YOU ANSWERED “YES” TO ANY OF THE CLAIMS OF QUESTIONS NO. 1, THEN PROCEED TO QUESTIONS NO. 2. IF YOU ANSWERED “NO” AS TO ALL CLAIMS OF QUESTIONS NO. 1, THEN DO NOT ANSWER ANY FURTHER QUESTIONS. PROCEED TO THE LAST PAGE, HAVE YOUR JURY FOREPERSON SIGN AND DATE THIS VERDICT FORM, AND THEN DELIVER IT TO THE COURT SECURITY OFFICER.**

**II. INDIRECT INFRINGEMENT****Directions – Question No. 2:**

In answering the Questions below, please check “Yes” or “No” for each listed asserted claim in the space provided.

**Question No. 2(a):** Did ACQIS prove, by a preponderance of the evidence, that ASUSTeK induced infringement of the following Asserted Claims?

*“Yes” is a finding for ACQIS. “No” is a finding for ASUSTeK.*

**'768 Patent:**

Claim 10: Yes \_\_\_\_\_ No ✓

Claim 13: Yes \_\_\_\_\_ No ✓

**'359 Patent:**

Claim 19: Yes \_\_\_\_\_ No ✓

**Question No. 2(b):** Did ACQIS prove, by a preponderance of the evidence, that ASGL induced infringement of the following Asserted Claims?

*“Yes” is a finding for ACQIS. “No” is a finding for ASGL.*

**'768 Patent:**

Claim 10: Yes \_\_\_\_\_ No ✓

Claim 13: Yes \_\_\_\_\_ No ✓

**'359 Patent:**

Claim 19: Yes \_\_\_\_\_ No ✓

### III. ALTER EGO OR AGENCY

#### Directions – Question No. 3:

In answering the Questions below, please check “Yes” or “No” for each listed asserted claim in the space provided.

*“Yes” is a finding for ACQIS. “No” is a finding for ASUSTeK or ASGL.*

**Question No. 3(a):** Did ACQIS prove, by a preponderance of the evidence, that ASUSTeK is liable for the actions of ASGL?

Yes ✓ No \_\_\_\_\_

**Question No. 3(b):** Did ACQIS prove, by a preponderance of the evidence, that ASUSTeK is liable for the actions of ACI?

Yes ✓ No \_\_\_\_\_

**Question No. 3(c):** Did ACQIS prove, by a preponderance of the evidence, that ASGL is liable for the actions of ACI?

Yes ✓ No \_\_\_\_\_

**IF YOU ANSWERED “NO” AS TO EACH QUESTION IN QUESTION NO. 3 THEN DO NOT ANSWER ANY FURTHER QUESTIONS. PROCEED TO THE LAST PAGE, HAVE YOUR JURY FOREPERSON SIGN AND DATE THIS VERDICT FORM, AND THEN DELIVER IT TO THE COURT SECURITY OFFICER.**

#### IV. PRE-SUIT NOTICE

**Directions – Question No. 4:**

In answering the Questions below, please check “Yes” or “No” for each listed asserted claim in the space provided.

*“Yes” is a finding for ACQIS. “No” is a finding for ASUSTeK or ASGL.*

**Question No. 4(a):** Did ACQIS prove, by a preponderance of the evidence, that it provided ASUSTeK notice of the '768 and '359 Patents and a specific charge of infringement of the same by a specific product prior to May 12, 2020?

Yes ✓ No                     

**Question No. 4(b):** Did ACQIS prove, by a preponderance of the evidence, that it provided ASGL notice of the '768 and '359 Patents and a specific charge of infringement of the same by a specific product prior to May 12, 2020?

Yes                      No ✓



**V. INVALIDITY****Directions – Question No. 5:**

In answering the Questions below, please check “Yes” or “No” for each listed asserted claim in the space provided.

**Question No. 5(a):** Did ASUSTeK and ASGL prove, by clear and convincing evidence, that the following Asserted Claims are invalid because they lack an adequate written description?

*“Yes” is a finding for ASUSTeK and ASGL. “No” is a finding for ACQIS.*

**'768 Patent:**

Claim 10:	Yes _____	No <u>✓</u> _____
Claim 13:	Yes _____	No <u>✓</u> _____

**'359 Patent:**

Claim 19:	Yes _____	No <u>✓</u> _____
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**Question No. 5(b):** Did ASUSTeK and ASGL prove, by clear and convincing evidence, that the following Asserted Claims are invalid because they are not enabled?

*“Yes” is a finding for ASUSTeK and ASGL. “No” is a finding for ACQIS.*

**'768 Patent:**

Claim 10:	Yes _____	No <u>✓</u> _____
Claim 13:	Yes _____	No <u>✓</u> _____

**'359 Patent:**

Claim 19:	Yes _____	No <u>✓</u> _____
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IF YOU ANSWERED "YES" TO ALL OF THE QUESTIONS IN QUESTION 5 (I.E., YOU FOUND ALL CLAIMS INVALID), THEN DO NOT ANSWER ANY FURTHER QUESTIONS. PROCEED TO THE LAST PAGE, HAVE YOUR JURY FOREPERSON SIGN AND DATE THIS VERDICT FORM, AND THEN DELIVER IT TO THE COURT SECURITY OFFICER.

**VI. DAMAGES**

**Directions – Question No. 6:**

In answering the Question below, please provide a **dollar amount** in the space provided.

**Question No. 6(a):** What is the amount of damages that you find ACQIS has proven, by a preponderance of the evidence, would compensate ACQIS for infringement of the claims that you have found are infringed and not invalid?

\$ 17,970,582

**Please proceed to the next question.**

## VII. WILLFUL INFRINGEMENT

### Directions – Question No. 7:

In answering the Questions below, please check “Yes” or “No” for each listed asserted claim in the space provided.

**Question No. 7:** Did ACQIS prove, by a preponderance of the evidence, that Defendants willfully infringed any of the following Asserted Patents?

*“Yes” is a finding for ACQIS. “No” is a finding for Defendants.*

'768 Patent:

Yes \_\_\_\_\_

No ✓ \_\_\_\_\_

'359 Patent:

Yes \_\_\_\_\_

No ✓ \_\_\_\_\_

You have now reached the end of the Verdict Form and should review it to ensure it accurately reflects your unanimous determinations. The jury foreperson should then sign and date this Verdict Form in the spaces below. Once this is done, please notify the Court Security Officer that you have reached a verdict. The jury foreperson should keep the Verdict Form and bring it when the jury is brought back to the court room.

I certify that the jury unanimously concurs in every element of the above verdict.

Jury Foreperson: \_\_\_\_\_



Signed this 22 day of March, 2024.